

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

THERESA A. ANDERSON,

Plaintiff,

No. 18-12008

v.

Honorable Nancy G. Edmunds

COMMISSIONER OF  
SOCIAL SECURITY,

Defendant.

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**ORDER ACCEPTING AND ADOPTING THE MAGISTRATE JUDGE'S  
OCTOBER 28, 2021 REPORT AND RECOMMENDATION [33]**

On August 20, 2019, the Court entered an order remanding this social security case to the administrative law judge for further proceedings, and judgment was entered on the order. (ECF Nos. 25, 26.) On December 3, 2019, pursuant to a stipulation between the parties, the Court entered an order awarding Plaintiff attorney fees under the Equal Access to Justice Act. (ECF No. 28.) Petitioner, the attorney for Plaintiff, now moves this Court for attorney fees under 42 U.S.C. § 406(b)(1). (ECF No. 29.) The Court referred the motion to Magistrate Judge Patricia T. Morris. (ECF No. 32.) Currently before the Court is the Magistrate Judge's October 28, 2021 report and recommendation, recommending the Court deny Petitioner's motion. (ECF No. 33.) The Court is fully advised in the premises and has reviewed the record and the pleadings. No party has filed objections. "[T]he failure to object to the magistrate judge's report[] releases the Court from its duty to independently review the matter." *See Hall v. Rawal*, No. 09-10933, 2012 U.S. Dist. LEXIS 120541, at \*2 (E.D. Mich. Aug.

24, 2012) (citing *Thomas v. Arn*, 474 U.S. 140, 149 (1985)). The Court nevertheless agrees with the Magistrate Judge's analysis and conclusion. The Court therefore ACCEPTS and ADOPTS the Magistrate Judge's report and recommendation. (ECF No. 33.) Accordingly, Petitioner's motion for attorney fees (ECF No. 29) is DENIED.

SO ORDERED.

s/Nancy G. Edmunds  
Nancy G. Edmunds  
United States District Judge

Dated: November 15, 2021

I hereby certify that a copy of the foregoing document was served upon counsel of record on November 15, 2021, by electronic and/or ordinary mail.

s/Lisa Bartlett  
Case Manager